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Attorneys for Defendants

**FIDELITY NATIONAL TITLE GROUP, INC. and
COMMONWEALTH LAND TITLE INSURANCE COMPANY**

**DESIGNATED LOCAL COUNSEL FOR SERVICE OF
PROCESS ON SINCLAIR BRAUN LLP PER L.R. IA 11-1(b)**

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

US BANK NATIONAL ASSOCIATION,

Case No.: 2:21-CV-00181-APG-EJY

Plaintiff,

VS.

FIDELITY NATIONAL TITLE GROUP,
INC. et al.,

**STIPULATION AND ORDER TO
EXTEND TIME TO REPLY TO
MOTIONS TO DISMISS (ECF Nos. 17,
18, 19)**

SECOND REQUEST

Defendants.

COMES NOW defendants Fidelity National Title Group, Inc. (“FNTG”) and Commonwealth Land Title Insurance Company (“Commonwealth”) (collectively, “Defendants”) and plaintiff U.S. Bank National Association (“U.S. Bank”), by and through their respective attorneys of record, which hereby agree and stipulate as follows:

1 1. On January 14, 2021, U.S. Bank filed its complaint in the Eighth Judicial District
2 Court for the State of Nevada;

3 2. On February 2, 2021, Commonwealth removed the instant case to the United
4 States District Court for the State of Nevada (ECF No. 1.);

5 3. On April 1, 2021, FNTG and Commonwealth both moved to dismiss U.S. Bank's
6 complaint. (ECF Nos. 14, 15.);

7 4. On April 15, 2021, U.S. Bank filed its opposition to FNTG's motion to dismiss
8 (ECF No. 17). Also on April 15, 2021, U.S. Bank filed its opposition to Commonwealth's motion
9 to dismiss (ECF No. 18) and a countermotion for partial summary judgment. (ECF No. 19.);

10 5. On April 22, 2021 the Court granted the parties first stipulation for an extension of
11 time, setting the deadline for Defendants to reply in support of their motions to dismiss to May 6,
12 2021 (ECF No. 22.);

13 6. On April 22, 2021, the Court issued an order to show cause why the pending
14 motions should not be denied without prejudice to refiling following the Ninth Circuit's ruling in
15 *Wells Fargo Bank, N.A. v. Fidelity National Title Ins. Co.*, Ninth Cir. Case No. 19-17332 (District
16 Court Case No. 3:19-cv-00241-MMDWGC) (*Wells Fargo II*), with submissions due on May 20,
17 2021. (ECF No. 23.);

18 7. In response to the order to show cause, it is Defendants' position that this action
19 should be stayed, in its entirety, pending the Ninth Circuit's decision in *Wells Fargo II*;

20 8. U.S. Bank has not yet determined how it intends to respond to the order to show
21 cause;

22 9. The Parties agree that further briefing on the two motions to dismiss and on the
23 countermotion for summary judgment should be deferred until the District Court has ruled on the
24 order to show cause;

25 10. The Parties therefore stipulate to a four-week extension of Defendants' deadline to
26 file their respective replies supporting their motions to dismiss and for Commonwealth to oppose
27 the countermotion for partial summary judgment, through and including June 3, 2021 (which is
28 two weeks after briefing on the order to show cause is to be submitted);

1 11. Counsel for U.S. Bank does not oppose the requested extension;
2 12. This is the second request for an extension of these deadlines, which is made in
3 good faith and not for the purposes of delay.

4 **IT IS SO STIPULATED** that Defendants' deadline to file their respective replies to their
5 motion to dismiss and for Commonwealth to oppose the countermotion for partial summary
6 judgment are hereby extended through and including June 3, 2021.

7 Dated: April 28, 2021

SINCLAIR BRAUN LLP

9 By: /s/-Kevin S. Sinclair

10 KEVIN S. SINCLAIR
11 Attorneys for Defendants
12 FIDELITY NATIONAL TITLE GROUP,
13 INC. and COMMONWEALTH LAND TITLE
14 INSURANCE COMPANY

15 Dated: April 28, 2021

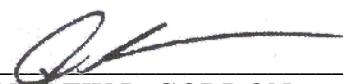
16 WRIGHT, FINLAY & ZAK, LLP

17 By: /s/-Darren T. Brenner

18 DARREN T. BRENNER
19 Attorneys for Plaintiff
20 U.S. BANK NATIONAL ASSOCIATION

21 **IT IS SO ORDERED.**

22 Dated this 4th day of May, 2021.

23 
24 ANDREW P. GORDON
25 UNITED STATES DISTRICT JUDGE
26 Case No.: 2:21-CV-00181-APG-EJY